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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,624	04/26/2001	Paul Richard Woods	10003959-1	2408

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AGILENT TECHNOLOGIES
INTELLECTUAL PROPERTY ADMINISTRATION
LEGAL DEPT., MS DL429
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LOVELAND, CO 80537

EXAMINER

MYERS, PAUL R

ART UNIT	PAPER NUMBER
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2112

DATE MAILED: 03/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/884,624

Applicant(s)

PHILLIPS ET AL.

Examiner

Paul R. Myers

Art Unit

2112

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5,6</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maeda PN 5,832,281 in view of Hidehiko et al JP06052070A.

In regards to claims 1, 5, 13, 18: Maeda teaches a circuit comprising: a constant power area (50) that receives constant power; a switched power area (11) that receives interruptible power; and an inactive state power reduction manager (38) disposed in the constant power area (50) for receiving a sleep signal (suspend signal from switch 6) and responding thereto for asserting a stop clock signal (from 39) to stop the normal mode clock, for performing a state save and for asserting a power control signal (on/off) that is used to disconnect the switched power area (11) from a power supply; and for receiving a wake up signal (resume signal from switch 6), and responsive thereto for deasserting the power control signal (on/off) that is used to connect the switched power area (11) to the power supply, for performing a state restore, and for deasserting the stop clock signal (from 39) to resume the normal mode clock. Maeda does not teach the state save being a scan-based state save. Hidehiko teaches the use of a scan-based state-save and restore of data in a circuit upon power source discontinuation. It would have been obvious to a person of ordinary skill in the art at the time of the invention to use a scan-bases

Art Unit: 2112

state-save as the state save in Maeda because this would have provided a fast method of data evacuation.

In regards to claims 2, 19: Maeda teaches a power switch (power switch 5 or alternatively any of the output power switches of figure 3 from the power supply and the host power management section 29) attached to the inactive state power reduction manager (38 or alternatively via 29).

In regards to claim 3: Maeda shows power switches in figure 3. Maeda is totally silent as to the type of switches. Official notice is taken that FET switches are common switches. It would have been obvious to a person of ordinary skill in the art to use common FET switches as the power switches because these are the normal type of switches.

In regards to claims 4, 14: Hidehiko teaches scan control for signals for controlling the scan based state save.

In regards to claim 6: Maeda teaches the wake up signal being an external signal.

In regards to claim 7: Maeda teaches the wake up signal being provided by a human trigger.

In regards to claims 8, 15-17, 20: Maeda teaches a memory storing the state information, including reading and writing.

In regards to claim 9: Maeda teaches the memory storing the state information is powered by a battery, thus it is volatile memory.

In regards to claim 10: Maeda teaches the memory. Maeda is silent as to whether the memory is random access or not. Official notice is taken that random access memories are

Art Unit: 2112

common. It would have been obvious to use a random access memory because this would have used a common memory structure.

In regards to claim 11: Maeda teaches the memory storing the state information is powered by a battery, thus the memory is in the constant powered area.

In regards to claim 12: Maeda's circuit is a board level circuit.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul R. Myers whose telephone number is 703 305 9656. The examiner can normally be reached on Mon-Thur 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 703 305 4815. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2112

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PRM
March 12, 2004



PAUL R. MYERS
PRIMARY EXAMINER